

**REMARKS**

Claims 1-22 are all the claims presently pending in the application. Claims 1 and 8-9 are amended to more clearly define the invention. Claims 1 and 8-9 are independent.

Applicant appreciates the courtesies extended to the Applicant's representative during a personal interview on January 12, 2005. During the personal interview, Examiner Pham agreed that the amendments to claims 1 and 8-9 above distinguish over the applied reference.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Kfoury reference.

This rejection is respectfully traversed in the following discussion.

**I. THE CLAIMED INVENTION**

An exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to opening/closing type portable information terminal equipped with a display portion housing having a display portion and an operating portion housing having an operating portion. An end portion of the display portion housing is linked to an end portion of the operating portion housing by a rotating mechanism under a state that a face of the display portion of the display portion housing is maintained to orient in a same side as a face of the operating portion of the operating portion housing so that the display

portion housing is rotatable relative to said operating portion housing around the rotational axis of the rotating mechanism and so that the display portion housing swings through an arc that is substantially parallel to the face of the operating portion at a closed position

Conventional portable terminal devices (like the terminal disclosed by the Kfoury reference) include a display portion that is rotatable with respect to the operating portion such that the two portion fold together and/or apart in a clam-shell like motion (col. 4, lines 53-57).

However, when these conventional terminal devices have been folded, the display portion cannot be seen and it is inconvenient for the user to repeatedly open and close the terminal to determine whether messages have been received and to review new messages.

In stark contrast, the present invention provides a very simple structure that allows the display portion to rotate through an arc that is substantially parallel to the face of the operating portion at a closed position.

In this manner, the present invention maintains the display portion in a visible and useable position regardless of whether the terminal is closed or open.

## **II. THE PRIOR ART REJECTION**

The Office action alleged that the Kfoury reference teaches the claimed invention. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by the Kfoury reference.

As agreed by Examiner Pham, the Kfoury reference does not teach or suggest the features of the present invention including a display portion that rotates through an arc that is substantially parallel to the face of the operating portion at a closed position as recited by independent claims 1 and 8-9. As explained above, this feature is important for providing a

simple structure that maintains the display portion in a visible and useable position regardless of whether the terminal is closed or open.

In stark contrast, the Kfoury reference discloses a portable terminal that connects a display portion to an operating portion through swivel hinge. “The swivel hinge allows the first housing portion 202 and the second housing portion 204 to fold together in a clam shell fashion, rotating about a first axis 302 [of] the swivel hinge.” (Col. 4, lines 54-57). That motion is illustrated by the Kfoury reference in Figure 9.

The arc through which the display portion swings at the closed position is perpendicular to the face of the operation portion not substantially parallel to the face of the operation portion as recited by the claims of the present application.

The Kfoury reference further discloses that a “second axis 304 of the swivel hinge 214 allows the first housing portion 202 to advantageously rotate relative to the second housing portion 204 in a swiveling motion as shown in FIG. 8.” (Col. 5, lines 12-15).

Clearly, the display portion does not swing through an arc when rotating about the second axis 304 and, even if the rotation of the display portion is substantially parallel to the face of the operating portion, the display portion does not rotate through an arc that is substantially parallel to the face of the operating portion at a closed position.

Therefore, the Kfoury reference does not teach or suggest each and every element of the claimed invention and the Examiner is respectfully requested to withdraw this rejection of claims 1-8.

### **III. FORMAL MATTERS AND CONCLUSION**

In view of the foregoing amendments and remarks, and in view of the agreement

reached with Examiner Pham during the personal interview, Applicant respectfully submits that claims 1-22, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

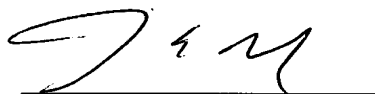
Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: \_\_\_\_\_

1/21/05



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